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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/736,081	12/15/2003	Alan G. Dry	1-74127	3258

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MACMILLAN, SOBANSKI & TODD, LLC
ONE MARITIME PLAZA-FOURTH FLOOR
720 WATER STREET
TOLEDO, OH 43604

EXAMINER

ORTIZ, ANGELA Y

ART UNIT	PAPER NUMBER
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1732

DATE MAILED: 05/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/736,081

Applicant(s)

DRY ET AL.

Examiner

Angela Ortiz

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 February 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 1, 3, 5, 7-9, 11 are rejected under 35 U.S.C. 102(b) as being anticipated by Sanchez et al., USP 5,756,026 for the reasons cited in the previous office action.

The cited reference teaches the claimed method of forming an interior trim component comprising a composite of textile fabric coated with a moldable backing layer. The backing layer is exposed to radiant heating in a preheating process prior to placing the fabric within the mold, until the backing layer has softened or melted. The fabric is preheated to a temperature above the melting point of the backing layer, and is brought into contact with the backing layer so as to bond the two layers. The two layers are placed within the mold cavity of a compression molding apparatus. A compression molding process is performed as is well known in the molding art. See col. 5, lines 1-30, 60-67 and col. 6, lines 1-13, 55-67.

Claim Rejections - 35 USC § 103

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

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Claims 2, 4, 6, 10, 12-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sanchez et al., USP 5,756,026 for the reasons cited in the previous office action.

The cited reference substantially teaches the basic claimed method of forming an interior trim component comprising a composite of textile fabric coated with a moldable backing layer. The backing layer is exposed to radiant heating in a preheating process prior to placing the fabric within the mold, until the backing layer has softened or melted. The fabric is preheated to a temperature above the melting point of the backing layer, and is brought into contact with the backing layer so as to bond the two layers. The two layers are placed within the mold cavity of a compression molding apparatus. A compression molding process is performed as is well known in the molding art. See col. 5, lines 1-30, 60-67 and col. 6, lines 1-13, 55-67.

The cited reference does not teach the claimed melting range, the light source per se, melting a thermoplastic first material, or a multilayered first material as claimed.

Note that the added reference does set forth that the fabric layer may be a composite of thermoplastic materials, as well as a textile fabric with a thermoplastic face layer. It would have been obvious to one of ordinary skill in the art at the time the invention was made to so include any number of conventional materials, including composite layers as claimed and similarly shown in the applied reference, for molding a trim component of varied equivalent materials.

With respect to the claimed light source, note that the reference teaches conventional sources of radiant heat, and various control means for operating the lights.

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It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide any number of conventional radiant heat means as claimed, for equivalently heating the layer as desired.

With respect to the claimed melted range, note that such ranges are conventional in the molding art and are further readily determined through routine experimentation.

Response to Arguments

Applicant's arguments filed 07 February 2005 have been fully considered but they are not persuasive.

Applicant only addresses independent claims 1, 13 and 20 and argues that the Sanchez reference does not teach how the face fabric and moldable backing are bonded to one another except that the moldable backing is described as coated on the face fabric, and does not teach exposing the thermoplastic to heat and then bringing it in contact with a substrate to bond.

Note that the technical terms used in the patent are well known within the art, but will be described. The coating step has the art recognized meaning that the backing layer is separate from the face layer, is heated until melted or softened, and pressed onto the fabric layer (or 'coated') to form a laminate (or bonded multi-layered composite). See col. 5, lines 1-30 of the cited reference.

Applicant argues that the cited reference teaches that the fabric and backing layer having different melting points teaches away from heating a thermoplastic prior to combining the thermoplastic with a first material.

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It is not understood how the different melting points teaches away from the heating step, but note that the reference teaches that the face fabric contacts the melted backing material and is therefore deemed readable on the claimed method steps as argued and reference in the pertinent sections of the reference above.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Angela Ortiz whose telephone number is 571-272-1206. The examiner can normally be reached on Monday-Thursday 9:00-6:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Colaiani can be reached on 571-272-1196. The fax phone

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number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Angela Ortiz
Primary Examiner
Art Unit 1732

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